

UNITED STATES DISTRICT COURT
Northern District of California

SETH ROSENFELD,

No. C 11-2131 MEJ

Plaintiff,

v.

**ORDER RE: PLAINTIFF'S
RESPONSE TO ORDER GRANTING
LEAVE TO FILE UNDER SEAL AND
IN CAMERA**

FEDERAL BUREAU OF INVESTIGATION
AND UNITED STATES DEPARTMENT OF
JUSTICE,

Defendants.

On December 30, 2011, the Court granted Defendants' Motion for Leave to Present Classified Declaration In Camera and Under Seal. Dkt. Nos. 24, 25. Plaintiff has now filed an opposition in response. Dkt. No. 26. Plaintiff first argues that the Court's Order was premature because Defendants specified in their Motion that Plaintiff's response was not due until January 5, 2012. However, it is Civil Local Rule 7-11(b) which sets forth the opposition filing deadline. Rule 7-11(b) states that any opposition "must be filed no later than 4 days after the motion has been filed." Thus, as Defendants filed their motion on December 22, 2011, the Court's December 30, 2011 Order was not premature. As to Plaintiff's remaining arguments, the Court finds that an in camera review will not affect Plaintiff's ability to obtain the documents, and in fact might help him, should the Court make such a determination. Accordingly, Plaintiff's request for the Court to reconsider its Order is denied.

IT IS SO ORDERED.

Dated: January 3, 2012



Maria-Elena James
Chief United States Magistrate Judge